

**MINUTES
CHIROPRACTICE PHYSICIAN LICENSING BOARD**

July 8, 2004,
Room 4A
Heber Wells Building

Convened: 9: 04 am

Adjourned: 10:25 am

Division Staff Present:

Division Director
Public Information Officer
Bureau Manager
Board Secretary

J. Craig Jackson
Chris Keyser
Daniel T. Jones
Lee Avery

Members Present:

Theodore J. Scott, DC, Chairperson
Gordon McClean Jr., DC
James D. Knight, DC
Edmund Sperry

Members Excused:

Lew Wheelwright, DC

Guests Present:

Tim Apgood

TOPICS OF DISCUSSION

Review Minutes:

DECISIONS & RECOMMENDATIONS

The Minutes for May 13, 2004, were reviewed.
Dr. Knight motioned to accept as is, seconded by Dr. Scott. The motion carried unanimously.

Swear in New Board Member:

Mr. Sperry was sworn in as the new Board Member.
Mr. Jackson advised the Board Mr. Sperry has been an active member of other Boards and has been an asset.

Appointments:

Dr. Kip Porter – Probation Interview

Dr. Porter presented himself to the Board. Dr. Scott conducted the interview. Dr. Porter advised the Board things were going well and he still has his chaperone. Dr. Porter stated this has worked well with him and he plans to continue using chaperones after his probation ends.

Dr. Porter advised the Board he moved to a separate building approximately seven (7) months into his probation. Dr. Porter stated he would be willing to volunteer his time to help others who have had the same types of problems he had.

Dr. Porter thanked the Board for its support. Dr. Porter submitted a letter to the Board requesting an early release from probation. The Board talked with Dr. Porter in detail. Dr. Knight motioned to continue with Dr. Porter's probation, seconded by Dr. McClean. The motion carried unanimously. The Board asked to see Dr. Porter in January 2005.

In Compliance

Brad Zollinger - Physical Therapy Board

Mr. Zollinger presented himself to the Board. Mr. Jackson advised the Board, Mr. Zollinger is a manager of the LDS Hospital Physical Therapy Dept and has been on the Physical Therapist Board for eight (8) years. Mr. Zollinger advised the Board he is a representative of the Utah American Physical Therapy Association. Mr. Zollinger advised the Board the Physical Therapists feel their practice act is cumbersome and needs to be cleaned up and in doing so they want to make some changes. Mr. Zollinger stated the last time changes were made to their practice act, it became an adversarial experience with the Chiropractors and they wanted avoid this, this time. Mr. Zollinger and the Physical Therapists would like to change the working relationship with the Chiropractors as the Physical Therapists put forward their proposal to change their practice act.

One of the concerns is "manipulation". The Board briefly discussed this with Mr. Zollinger. Mr. Zollinger stated the national wording is controversial and the Physical Therapists would define this to make it flow better.

Another concern is how Chiropractors advertise they offer physical therapy. They can indicate they offer

physical therapy, however, unless they hold a dual license, they cannot advertise they are “Physical Therapists”. This could be confusing to the public.

Mr. Jackson suggested the two associations work together on the concerns. Mr. Walker suggested the Physical Therapists come up with a definition to cover Physical Therapists.

The Board and Mr. Zollinger discussed the suggested changes in detail. Mr. Zollinger stated he would pursue in cleaning up the practice act with proper sentence structure and grammar and would not change the content or intent. Mr. Zollinger stated he would send drafts to the Board for its review.

Mr. Jackson stated it would be better to have all of the problems/concerns worked out before the proposal is sent to the legislators.

Mr. Walker asked Mr. Zollinger to send drafts of the revisions to the Division for review.

The Board thanked Mr. Zollinger for his willingness to meet meeting with it.

**Dr. Bruce Van Gundersen – Probation
Interview**

Dr. Gundersen presented himself to the Board. He advised the Board things were going well. Dr. Gundersen advised the Board he is scheduled to attend therapy classes once a year, however, he attends once every three (3) months. Dr. Gundersen stated he has been able to help others and he has not had any reoccurrences. Dr. Gundersen gave Mr. Jones an article he has written regarding his experiences. Dr. Gundersen stated it was ok if the article was published. The Board asked to see Dr. Gundersen in January 2005.

In Compliance

Discussion:

Dr. Medskar and Dr. Whitley update – Mr. Jones

Mr. Jones advised the Board Dr. Whitley has complied with the Division requests.

Dr. Medskar has failed to comply with the Division requests and his license is currently “suspended”.

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Proposed rule change – Mr. Jones

Mr. Jones reviewed with the Board the proposed rule changes. The Board discussed these in detail. Dr Knight motioned to accept the changes with the recommended modifications, seconded by Dr. Knight. The motion carried unanimously.

The Board discussed the rules further and Dr. Knight motioned to add ten (10) hours of continuing education (CE) related to acupuncture, seconded by Dr. Scott. The motion carried unanimously.

Mr. Jones advised the Board the rules hearing will be at the Board meeting in October 2005.

Convention held in Canada – Dr. Ted Scott

Dr. Scott advised the Board the next convention will be in Montreal Canada.

Dr. Knight motioned to adjourn the meeting, seconded by Dr. McClean. The motion carried unanimously

Next Meeting

The next meeting is scheduled for October 14, 2004, 9:00 am

Date Approved

Chairperson, Chiropractic Licensing Board

Date Approved

Bureau Manager, Div. of Occupational & Professional Licensing